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By

(Signature of person mailing)
Gregory Raymer

(Typed or printed name of person)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: **L. Kathryn Durham, et al.** :

Examiner: **Einsmann, J.C.**

APPLICATION NO.: **10/032,241** :

FILING DATE: **12/21/2001** :

Group Art Unit: **1634**

TITLE: **Methods, Compositions, and Kits Relating to** :
Cardiovascular Disease

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed March 25, 2003, Applicants answer as follows.

Remarks

Applicants hereby elect Group I (claims 2-3, drawn to SEQ ID NO:2) with traverse. It is respectfully submitted that it would not be an undue burden on the Examiner to search all of the claims of this application at once. All of the claims are drawn to a small set of allelic variants in the CETP gene that are associated with cardiovascular disease. As such, it would not be an undue burden upon the Examiner to search all claims simultaneously.

Moreover, to the extent the Examiner finally determines that the elected claims of Group I are allowable, the claims of Group IX should be rejoined. The claims of Group IX are very similar to those of Group I, and essentially just add a few further steps to the method of Group I claims. As such, to the extent the Examiner is unable to find prior art

4 1534

against the claims of Group I, it is not seen as likely that prior art would then be found against the claims of Group IX. As such, there would then be no undue burden in examining both groups simultaneously.

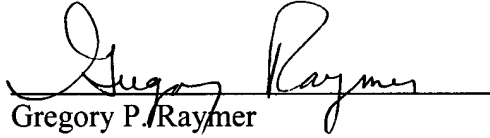
Also, Applicants would like to request that an oversight in the grouping of claims be corrected. It appears that Groups II and III are identical, and presumably result from a typographical error. It is believed that the Examiner meant there to be 9 total groups, not 10.

The Commissioner is hereby authorized to charge any additional fees required, or to credit any overpayment, to Deposit Account No. 16-1445.

A Notice of Allowance is courteously solicited.

Respectfully submitted,

Date: 5/27/03


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